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May 6, 2008

Honorable Denny Chin
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: Wright v. Brae Burn Country Club (08CV3172)(SDNY)(DC)

Dear Judge Chin,

I am plaintiff's counsel in the above referenced proceeding. This action was filed on 03/31/08, and the Summons and Complaint were served on the defendant on 04/15/08. In response thereto, on 05/05/08, defendant's counsel made an offer of judgment, and then moved to dismiss the Complaint for lack of subject matter jurisdiction and for failure to state a claim.

I write to ask the Court to strike defense counsel's motion in its entirety. The basis for this request is that defense counsel's motion violates your Individual Practices ("Practices"). Specifically, your Practices at paragraph 2(A) require a pre-motion conference prior to any motion in a civil case, except those enumerated therein. As such, I ask that you strike defense counsel's motion in its entirety, and for such other relief as the Court desires.

I trust that my request will be given due consideration. Thank you in advance.

Law Office of David Wims

5/6/2008

Respectfully yours,

David C. Wims, Esq. (DW-6964)

Cc: Peter Panken, Esq.
Tracey Cullen, Esq.